

**STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC HEALTH  
BUREAU OF REGULATORY SERVICES**

In re: Mark Kudlach

Petition No. 970403-033-007

**CEASE AND DESIST CONSENT ORDER**

WHEREAS, the Connecticut Department of Public Health (hereinafter "the Department") is a state agency charged with the regulation of the professional practice of subsurface sewage disposal system installation;

WHEREAS, Mark Kudlach of Connecticut (hereinafter "respondent") has at no time been issued a license to practice as a subsurface sewage disposal system installer by the Department under the Connecticut General Statutes Chapter 393a;

WHEREAS, the Connecticut General Statutes §20-341f provides that no person shall engage in the practice of subsurface sewage disposal system installation or cleaning in this State until he has obtained a license;

WHEREAS, respondent admits that, during 1995, respondent practiced as a subsurface sewage disposal system installer at 196 North Wawecus Hill Road, Norwich, CT and at 14 County Fair Road, Norwich, CT without having a valid license to do so;

WHEREAS, the Department is authorized under the Connecticut General Statutes §19a-11 to issue an appropriate order to any person found to be violating an applicable statute; and,

WHEREAS, respondent agrees that the above allegations shall have the same effect as if proven and ordered after a full hearing held pursuant to Section 19a-10 of the Connecticut General Statutes.

NOW THEREFORE, pursuant to Chapter 393a and §19a-11, respondent hereby stipulates and agrees to the following:

1. Respondent waives his right to a hearing on the merits of this matter.
2. Respondent agrees to cease and desist in the practice of subsurface sewage disposal system installation or in any other practice that requires licensure in the State of Connecticut without first obtaining an appropriate license.
3. That this Cease and Desist Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Further, that said Consent Order is not subject to appeal or review under the provisions of Chapters 54 or 368a of the General Statutes of Connecticut, provided that this stipulation shall not deprive him of any other rights that he may have under the laws of the State of Connecticut or of the United States.
4. That this Cease and Desist Consent Order is a revocable offer of settlement which may be modified by mutual agreement or withdrawn by the Department at any time prior to its being executed by the last signatory.
5. That this Cease and Desist Order is effective after the last signatory is fixed to this document.
6. Respondent understands that he has the right to consult with an attorney prior to signing this document.
7. That this Cease and Desist Consent Order is a matter of public record.
8. Respondent understands that this Cease and Desist Consent Order may be considered evidence of the above admitted violations in any subsequent proceeding in which (1) his compliance with this Cease and Desist Consent Order is at issue, or (2) his compliance with the provisions of Title 20 of the Connecticut General Statutes is at issue.

I, Mark Kudlach, have read the above Cease and Desist Consent Order, and I agree to the terms and allegations set forth therein. I further declare the execution of this Cease and Desist Consent Order to be my free act and deed.

  
\_\_\_\_\_  
Mark Kudlach

Subscribed and sworn to before me this 8<sup>th</sup> day of September 1997.

  
\_\_\_\_\_  
Notary Public or person authorized by Commission Ex 44/20/97  
by law to administer an oath or affirmation

The above Cease and Desist Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 15<sup>th</sup> day of SEPTEMBER 1997, it is hereby ordered and accepted.

  
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~~Paul Schur, Director~~ Thomas Furgalack, Supr.  
Division of Environmental Health Envir. San.